

REMARKS/ARGUMENTS

Claims 1-8 were examined. All claims were rejected as being anticipated by and/or obvious over four patent references, as discussed in greater detail below. All claims have been amended, and one new claim has been added. Reexamination and reconsideration of the claims as amended are respectfully requested.

Claim 1, the only pending independent claim, has been amended to incorporate the limitations generally set forth in pending dependent claim 6. In particular, claim 1 now recites a "catheter" which comprises both a "catheter body" and the previously recited braided tubular structure. New claim 9 further recites that the catheter of claim 1 includes "a balloon...connected to exchange inflation medium through the lumens of the braided tubular structure." Support for the amendment to claim 1 as well as new claim 9 is found in Figs. 8A, 8B, and 9, as well as the text in paragraphs 88-91.

In view of the above amendments, applicants will address only the rejection which has been set forth with respect to claim 6, which appears in the first paragraph on page 4 of the Office Action. In that paragraph, the Examiner argues that "Samson discloses that . . . [braided reinforcement] . . . can also be used in catheters and endoscopes which are known to inherently include outer polymeric sheaths over the braided structure . . . It would have been obvious to one skilled in the art to modify the component members of Samson to be in the form of tubes as suggested by Vallana that teaches woven stent component members can be formed of solid threads or hollow, where the use hollow threads would reduce the amount of material needed and thereby lower the cost especially when using more expensive materials such as superelastic alloys."

Applicants respectfully disagree with such rejection. As noted by the Examiner, the teachings of Vallana relate to stent structures, and particularly teach that hollow or other fibers 4 may be disposed around a sheath which overlies a stent structure 1. The fibers are adapted to deliver a therapeutic agent, where the agents may be embedded in or inside of it. The

fibers 4 are "preferably made from bioerodable materials" such as PEG and PLGA, which are well known drug-releasing materials.

As is well known to the Examiner, *prime facia* obviousness requires not only that the references relied on teach each and every claim limitation, but also that "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to ordinary skill in the art, to modify the reference or combine the reference teachings." MPEP 2143. In the present circumstances, there was no motivation to combine the teachings of Vallana *et al.* with Samson.

As noted above, Vallana teaches drug release structures intended for placement over at the woven structures are specifically taught to provide little or more mechanical strength. See, column 6, lines 42-60. The braided structures of Samson, in contrast, are specifically taught to provide mechanical strength and support in catheters and other constructions.

One skilled in the art would not have looked at the hollow structures of Vallana *et al.*, which are intended to hold nanoparticles and other drug release agents, for modifying a braiding catheter reinforcement structure as taught by Samson.

The Examiner argues that the combination would be obvious since "hollow threads would reduce the amount of material needed and thereby lower the cost especially when using more expensive materials such as superelastic alloys." Neither Vallana *et al.* nor Samson, however, appear to be at all concerned with reducing weight and/or reducing cost. Indeed, the sole concern of Samson appears to be providing mechanical strength, which is contrary to removing material from the ribbons and other structures taught in Samson. Vallana *et al.*, in contrast, is concerned solely with providing space in which sequester therapeutic agents for delivery in medical procedures.

Appl. No. 10/692,424
Amdt. dated March 15, 2005
Reply to Office Action of December 15, 2004

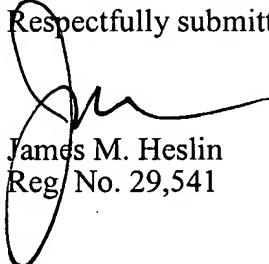
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CONCLUSION

In view of the above amendments and remarks, applicants believe that all pending claims are in condition for allowance and request that the application be passed to issue at an early date.

If for any reason the Examiner believes that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 650-326-2400.

Respectfully submitted,


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